

Opening Statement of
Larry Angelo
Before The House Resources Committee
On H.R. 791 Dealing with Indian Land Claims
In Illinois
May 8, 2002

Introduction

Good morning, Mr. Chairman and members of the Committee. I am Larry Angelo, Second Chief of the Ottawa Tribe of Oklahoma. I thank you Mr. Chairman, and members of the Committee for permitting me to testify on behalf of the Ottawa Tribe of Oklahoma on H.R. 791, a bill to extinguish our recognized Treaty title and authorize condemnation of the property rights of the Prairie Band of Pottawatomie and the Ottawa Tribe of Oklahoma to the Shab-eh-nay reservation in Dekalb County, Illinois. This legislation is intended to take our tribal property rights confirmed by treaty, to the two sections of land as described in section III of the Prairie-Du-Chien Treaty of 1829. The Ottawa Tribe agrees that a legislative solution is needed: that solution is to honor the Prairie-Du-Chien Treaty of 1829 and pay for lands recognized by Treaty Title. As Congress is aware, this Fifth Amendment "taking" is worth hundreds of millions of dollars.

Background

The bill before you, H.R. 791 would extinguish Treaty Title to our land in Illinois, which includes a reservation of two sections of land (1,280 acres) that was set aside for the Ottawa Chief Shab-eh-nay and his Ottawa Band in the Treaty of Prairie-du-Chien , dated July 29, 1829.

The Ottawa Tribe of Oklahoma received a letter from the Office of the Solicitor on January 18, 2001. In that opinion letter, Solicitor John Leshy determined that the Prairie Band of Pottawatomie is one successor in interest to Shab-eh-nay's Band. The Ottawa Tribe responded stating "our research was on-going and a report would be forthcoming." My Tribe has completed its historic review and can document that our Ottawa Tribe, in fact, has an interest in the land as a successor in interest.

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The bill is inconsistent because it extinguishes title to existing property rights based on treaties. These are not just aboriginal claims. Enactment of the legislation relieves the concern of non-Indian land owners in Illinois and transfers the debt for taking private Tribal property to the United States government. Although, it also purports to extinguish the title of any Indian Tribe or individual Indians to claims filed in Illinois within one year of enactment of the bill, it does not extinguish Congress obligations to the Ottawa Tribe. The bill does not provide for the payment of compensation for "taking" of Tribal or individual Indian lands. In this instances, if this bill is enacted into law, the United States will be responsible for paying for the present value of the land, plus other damages to our Treaty reserved rights.

Conclusion

The Ottawa Tribe of Oklahoma agrees the claim will require a legislative solution, however this particular bill in its present form is not beneficial or helpful to any Tribe in the State of Illinois. Nor is it in the best interests of the United States. Attempts were made to resolve the land claim issue with the State of Illinois from 1997 to 1999. All the attempts have failed. The message received from the Illinois representative was, "We got rid of the Damn Indians over one hundred years ago and we are not going to have them back". Therefore, the Ottawa Tribe of Oklahoma strongly opposes the passage of H.R. 791, unless the issues referenced above are addressed and the land is returned to us or the bill is modified to authorize just compensation for past and future damages.

Respectfully,

Larry Angelo, Second Chief
Ottawa Tribe of Oklahoma

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